

02-12-01

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PTO/SB/05 (08/00)Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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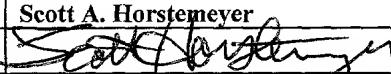
J1042 U.S. PTO
02/09/01

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **061607-1420**First Inventor **Scott**Title **SYSTEM AND METHOD FOR STATISTICAL CONTROL OF POWER DISSIPATION WITH HOST ENFORCEMENT**Express Mail Label No **EL 763766203 US**

| | | | |
|---|--|--|--|
| APPLICATION ELEMENTS <small>See MPEP Chapter 600 concerning utility patent application contents</small> | | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 | |
| <input type="checkbox"/> APPLICANT REQUESTS EARLY PUBLICATION UNDER 37 CFR 1.219 (additional fee) | | | |

| | | | |
|--|---|---|---|
| 1. <input checked="" type="checkbox"/> | Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing) | 7. <input type="checkbox"/> | CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) |
| 2. <input type="checkbox"/> | Applicant claims small entity status. | 8. <input type="checkbox"/> | Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) |
| 3. <input checked="" type="checkbox"/> | Specification (preferred arrangement set forth below) | a. <input type="checkbox"/> | Computer Readable Copy (CRF) |
| | - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed. Sponsored R&D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure | b. <input type="checkbox"/> | Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper |
| 4. <input checked="" type="checkbox"/> | Drawing(s) (35 USC 113) | [Total Pages] 42 | c. <input type="checkbox"/> Statements verifying identity of above copies |
| 5. <input type="checkbox"/> | Oath or Declaration | [Total Sheets] 6 | 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & Documents(s)) |
| a. <input checked="" type="checkbox"/> | Newly Executed (original or copy) | [Total Pages] 2 | 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney |
| b. <input type="checkbox"/> | Copy from a prior application (37 CFR §1.63(d)) (for continuation/divisional with Box 17 completed) | | 11. <input type="checkbox"/> English Translation Document (if applicable) |
| i. <input type="checkbox"/> | DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). | | 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations |
| 6. <input checked="" type="checkbox"/> | Application Data Sheet. See 37 CFR 1.76 | | 13. <input type="checkbox"/> Preliminary Amendment |
| Assignee Name and Address (if applicable) Paradyne Corporation 8545 126th Avenue, N. Largo, FL 34649 | | | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) |
| 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: | | | |
| <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) | | of prior application No: / | |
| Prior application information: Examiner _____ | | | |
| For CONTINUATION OR DIVISIONAL APPS only. The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts | | | |
| 18. CORRESPONDENCE ADDRESS | | | |
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | | 24504 (Insert Customer No. or Attach bar code label here) or <input type="checkbox"/> Correspondence address below | |
| NAME | Scott A. Horstemeyer Thomas, Kayden, Horstemeyer & Risley, L.L.P. | | |
| ADDRESS | 100 Galleria Parkway Suite 1750 | | |
| CITY | Atlanta | STATE | Georgia ZIP CODE 30339-5948 |
| COUNTRY | U.S.A. | TELEPHONE | FAX 770-951-0931 |
| Name (Print/Type) | Scott A. Horstemeyer | Registration No. (Attorney/Agent) | 34,183 |
| Signature |  | | Date 02/09/01 |

Burden Hour Statement: This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT | (\$)**1,162.00****Complete If Known**

| | |
|----------------------|----------------|
| Application Number | To Be Assigned |
| Filing Date | Herewith |
| First Named Inventor | Scott |
| Examiner Name | To Be Assigned |
| Group / Art Unit | To Be Assigned |
| Attorney Docket No. | 061607-1420 |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge to the following Deposit Account.

| | |
|------------------------|------------------------|
| Deposit Account Number | 16-0255 |
| Deposit Account Name | Paradyne Corporation's |

Charge all indicated fees and any additional fee required or credit any overpayment.

Charge any additional fee required and requested to credit Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:
 Check Money Order Credit Card
FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|---|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension of time within second month | |
| 117 | 890 | 217 | 445 | Extension of time within third month | |
| 118 | 1,390 | 218 | 695 | Extension of time within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension of time within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 620 | Petition to revive - unintentional | |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt. | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (time number of properties) | 40.00 |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

FEE CALCULATION**1. BASIC FILING FEE**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|---------------|
| 101 | 710 | 201 | 355 | Utility filing fee | \$710 |
| 106 | 320 | 206 | 160 | Design filing fee | \$ |
| 107 | 490 | 207 | 245 | Plant filing fee | \$ |
| 108 | 710 | 208 | 355 | Reissue filing fee | \$ |
| 114 | 150 | 214 | 75 | Provisional filing fee | \$ |
| SUBTOTAL (1) | | | | (\$) | 710.00 |

2. EXTRA CLAIM FEES

| | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|--------------------------|----------|
| Total Claims | 34 | -20** = 14 x 18.00 = 252 | |
| Independent Claims | 5 | -3** = 2 x 80.00 = 160 | |
| Multiple Dependent | | 270.00 = | |

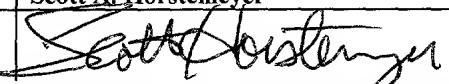
**or number previously paid, if greater; For Reissue, see below

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------|-----------------|----------------|-----------------|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent Claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent claims in excess of 3 |
| 109 | 80 | 209 | 40 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) | | | | (\$)412.00 |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **40.00**

Complete (if applicable)

| | | | |
|-----------------------|---|-------------------------|----------|
| SUBMITTED BY | | | |
| Typed or Printed Name | Scott A. Horstemeier | Reg. Number | 34,183 |
| Signature |  | Date | 10/20/01 |
| | | Deposit Account User ID | |

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

| | |
|----------------------|--|
| First Named Inventor | Scott |
| Title | SYSTEM AND METHOD FOR STATISTICAL CONTROL OF POWER DISSIPATION WITH HOST ENFORCEMENT |
| Attorney Docket No. | 061607-1420 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

02/09/01
Date



Signature

Scott A. Horstemeyer

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**